

A.G. Contract No. KR88-0018-TRD

ECS File: IGA-87-27
Project: VLT-900-936
Fund: 82560
Section: Jerome State Park

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
TOWN OF JEROME

THIS AGREEMENT entered into March 18, 1988, by and between the STATE OF ARIZONA, acting by and through its Department of Transportation (the "State") and the TOWN OF JEROME, acting by and through its Town Council ("Jerome").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Sections 11-952 and 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. Jerome is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute same on behalf of Jerome.

3. In accordance with Arizona Revised Statutes Section 28-1822(A)(8), the State is installing drainage facilities and reconstructing the access road from U.S. Highway 89A to the Jerome State Park.

FILED WITH SECRETARY OF STATE

NO. 12851

Date Filed 4-12-88


Acting SECRETARY OF STATE

4. Jerome makes use of said access road.

5. Jerome and State desire to establish maintenance responsibilities for the road.

THEREFORE, the parties hereto agree as follows:

II. SCOPE OF WORK

1. The State shall develop a project for reconstruction of the access road from U.S. Highway 89A to the museum parking area according to its standards, specifications and procedures. The project shall include plans, contract bid and award process, and contract administration during construction.

2. The State shall pay construction costs, estimated to be \$1,100,000, required for said improvements.

3. The State shall acquire in the name of Jerome additional rights of way for purposes of roadway construction, where necessary. The Deputy Chief Right of Way Agent, ADOT Right of Way Section, is herein authorized to accept conveyances of right of way for these purposes on behalf of Jerome.

4. Jerome shall provide to the State design information as required and necessary permits allowing for the contemplated construction.

5. Upon completion of construction, Jerome shall provide routine maintenance of said Park access road from Station P.O.T. 8+79.01 to Station P.R.C. 33+16.34 Back, as more specifically shown on the map attached hereto as Exhibit "A".

III. MISCELLANEOUS PROVISIONS

It is further agreed by and between the parties hereto that:

1. This agreement is subject to cancellation by the Governor pursuant to the provisions of Arizona Revised Statutes Section 38-511.

2. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

3. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 (B) and (C) as amended.

4. Attached hereto and incorporated herein by reference are copies of the written determinations by each agency's legal council that this agreement is in proper form and within the authority granted to the respective agencies under State law.

5. This agreement shall become effective on the date of filing with the Secretary of State.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

TOWN OF JEROME

By Ray Santapaa
Its MAYOR

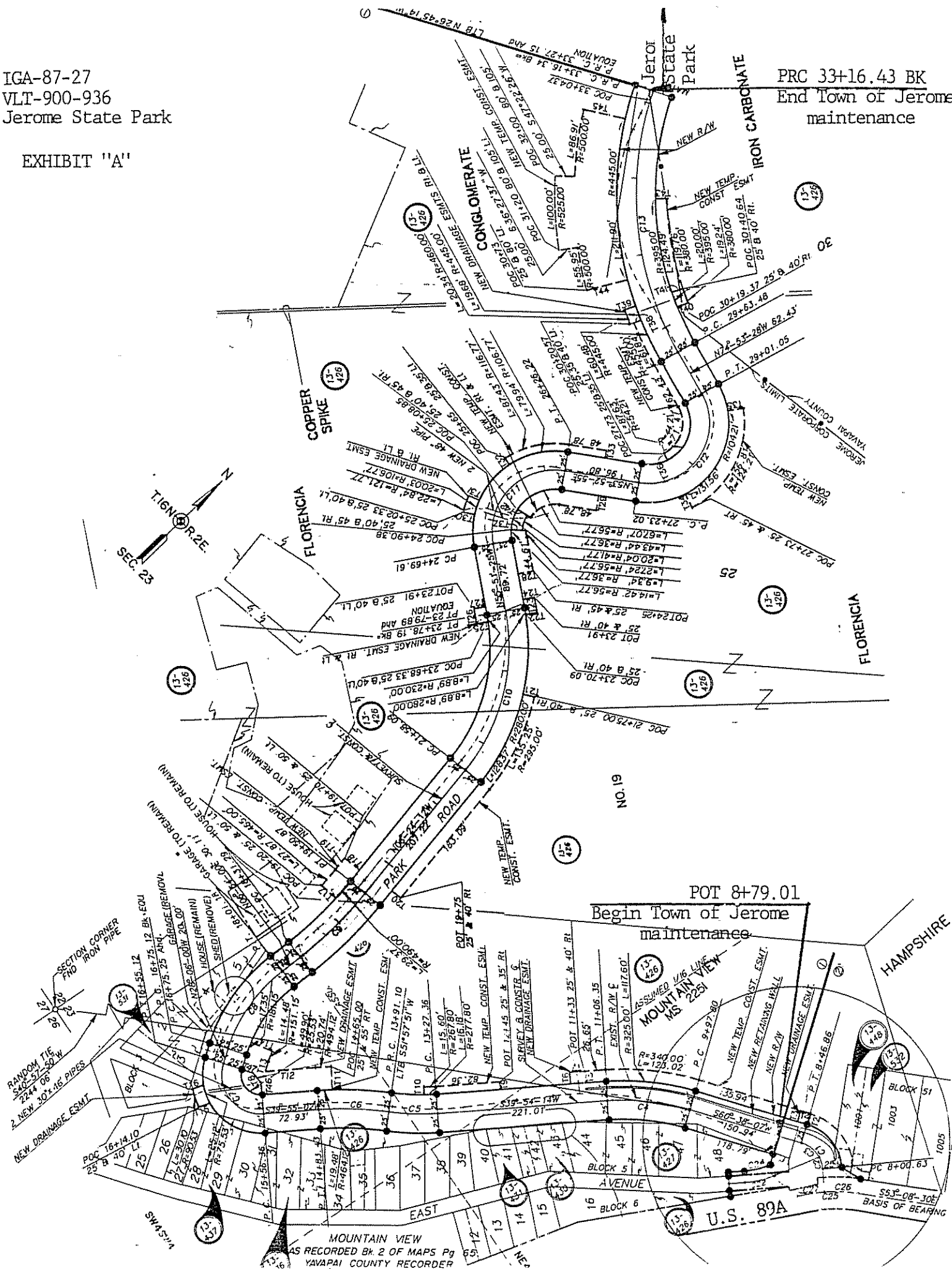
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STATE OF ARIZONA
Department of Transportation

By W. O. Ford
W. O. FORD
State Engineer

EXHIBIT "A"

PRC 33+16.43 BK
End Town of Jerome
maintenance

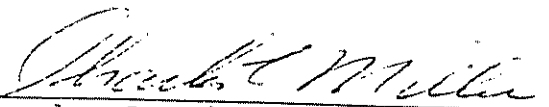


PROJECT: VLT-900-936
SECTION: Jerome State Park

RESOLUTION

BE IT RESOLVED on this 19th day of November, 1987, that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interests of the State of Arizona, that the DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into an Intergovernmental Agreement with the Town of Jerome wherein the Department of Transportation will reconstruct access roads to State Parks lands including, but not limited to, drainage easements, construction easements and road rights of way.

THEREFORE, authorization is hereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.



Charles L. Miller, Director
Arizona Department of
Transportation

TE:ks

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RESOLUTION NO. 217

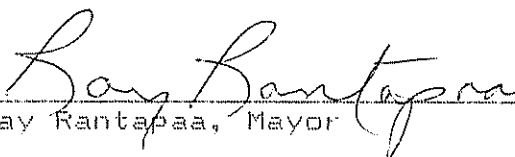
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
JEROME AUTHORIZING EXECUTION OF AN AGREEMENT WITH
ARIZONA DEPARTMENT OF TRANSPORTATION TO ESTABLISH
MAINTENANCE RESPONSIBILITIES FOR THE JEROME STATE PARK ACCESS ROAD.

WHEREAS, it is desired by the Town of Jerome, hereinafter called TOWN, and is acceptable to the Arizona Department of Transportation, hereinafter called STATE, that Jerome will provide routine maintenance for its portion of the Jerome State Park Access Road.


NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Jerome, Arizona, as follows:

1. That the terms of the Intergovernmental Agreement between the State of Arizona and the Town of Jerome for Project VLT-900-936 are hereby approved; and
2. That the Mayor is hereby authorized to execute said Agreement.

PASSED AND APPROVED by the Town Council of the Town of Jerome, Arizona, the 8th day of March, 1988.


Ray Rantapaa, Mayor

ATTEST:


Hilde Rippe, Town Clerk

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Project: VLT-900-936
Fund: 82560
Section: Jerome State Park

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

The referenced intergovernmental agreement between the TOWN OF JEROME and the ARIZONA DEPARTMENT OF TRANSPORTATION has been reviewed pursuant to Arizona Revised Statutes Section 11-952, as amended, by the undersigned TOWN OF JEROME attorney, who has determined that it is in the proper form and is within the powers and authority granted to the TOWN OF JEROME.

Dated this 3 day of March, 1988.

Robert S. Pochan

ATTORNEY GENERAL
1275 West Washington
Phoenix, Arizona 85007
Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT


DETERMINATION

A. G. Contract No. KR88-0018-TRD, which is an agreement between public agencies, has been reviewed pursuant to Arizona Revised Statutes Section 11-952, as amended, by the undersigned Assistant Attorney General, who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter said agreement.

Dated this 11th day of April, 1988.

ROBERT K. CORBIN
Attorney General


Assistant Attorney General
Transportation Division